

Appl. No. 09/740,410
Amdt. Dated July 19, 2004
Reply to Office action of May 21, 2004
Attorney Docket No. P14008-US1
EUS/J/P/04-3162

REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended Claims 1, 3-6, 8, 11-15 and 18. Applicant respectfully submits no new matter has been added. Claims 1 and 3-19 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Rejections – 35 U.S.C. § 112

Claims 1, 3, 8, 11, 12, 13, 14, 15 and 18 stand rejected under 35 U.S.C. § 112 second paragraph as having insufficient antecedent basis for the limitation in the claims. The Applicant has amended claims 1, 3, 8, 11, 12, 13, 14, 15 and 18 to correct the noted errors. The Examiner's consideration of the amended claims is respectfully requested.

Claim Rejections – 35 U.S.C. § 103(a)

Claims 1 and 3-14 stand rejected under 35 U.S.C. § 103(a) as being obvious over Dolan (US 6,631,270) in view of Kallioniemi et al. (US 6,134,316 hereinafter Kallioniemi) and further view of Ayoub et al (US 6,477,363 hereinafter Ayoub). The Applicant respectfully traverses the rejection of these claims because Dolan was commonly owned at the time this invention was made.

Claims 15-19 stand rejected under 35 U.S.C. § 103(a) as being obvious over Dolan (US 6,631,270) in view of Kallioniemi et al. (US 6,134,316 hereinafter Kallioniemi) and further in view of Ayoub et al. (US 6,477,363 hereinafter Ayoub). The Applicant respectfully traverses the rejection of these claims because Dolan was commonly owned at the time this invention was made.

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Statement of Common Ownership

This present application and the Dolan reference were, at the time of the invention of the present application, owned by, or subject to an obligation of assignment to Telefonaktiebolaget LM Ericsson, a Swedish corporation.

This present application was filed after November 29, 1999. Accordingly, Applicant asserts that the subject matter of Dolan is disqualified as prior art under 35 U.S.C. § 103(a). Because Dolan is disqualified as prior art, a 103 rejection is not proper and the allowance of claims 1 and 3-14 is respectfully requested.

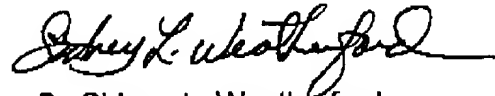
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CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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